

SECRET

20 JUL 1971

COMMENTS ON THE CASE BILLS

Purpose

Commentary

25X1C

S. 2251
Amending
Foreign
Assistance
Act of 1961

Precludes the President from transferring funds authorized under the Foreign Assistance Act from one country to another unless he notifies the Congress in writing 30 days in advance (10 days if he certifies the national interest requires it) before he makes such a transfer.

S. 2252
Amending
Foreign
Military
Sales Act

Requires that the value of any defense articles granted to a foreign country be counted as part of an expenditure made from funds appropriated under the Foreign Assistance Act.



SECRET

SECRET

Purpose

Commentary

25X1C

S. 2253
Amending
Foreign
Assistance
Act

Precludes the funding, under any provision of law, of any "military operation" outside the borders of the country of the government or persons receiving such funds without specific congressional authorization. If such request is made the President must provide Congress with a copy of any agreement pertaining to such military operation and the complete details of it.

S. 2254
Amending
Special
Foreign
Assistance
Act of 1971

Precludes the funding under any act of military or paramilitary instruction or training assistance to or for Cambodian military or paramilitary forces in Cambodia through advisers paid directly or indirectly by the U.S. Government.
(Senator Case says this would prevent the circumvention of congressional intent in funding of activities such as Thai troops in Laos through CIA and would eliminate skirting of the Cooper/Church prohibitions against use of American troops or advisers in Cambodia by using CIA personnel.)

SECRET

SECRET

29 JUL 1971

COMMENTS ON THE CASE BILLS

Purpose

Commentary

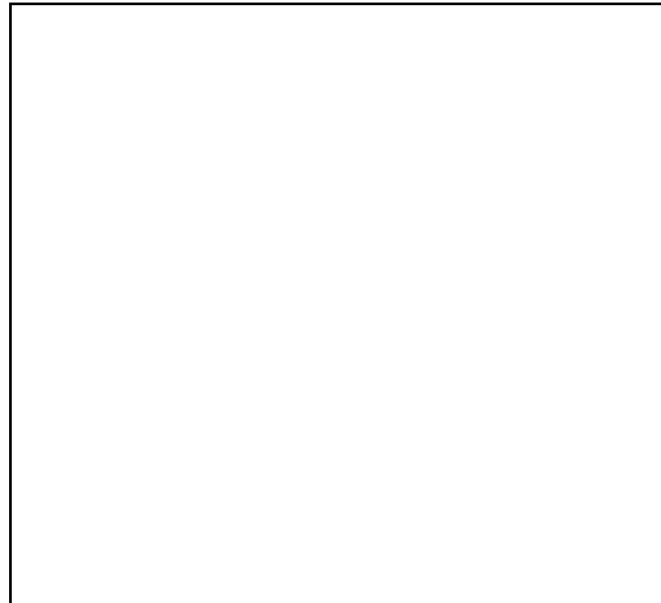
25X1C

S. 2251
Amending
Foreign
Assistance
Act of 1961

Precludes the President from transferring funds authorized under the Foreign Assistance Act from one country to another unless he notifies the Congress in writing 30 days in advance (10 days if he certifies the national interest requires it) before he makes such a transfer.

S. 2252
Amending
Foreign
Military
Sales Act

Requires that the value of any defense articles granted to a foreign country be counted as part of an expenditure made from funds appropriated under the Foreign Assistance Act.



SECRET

SECRET

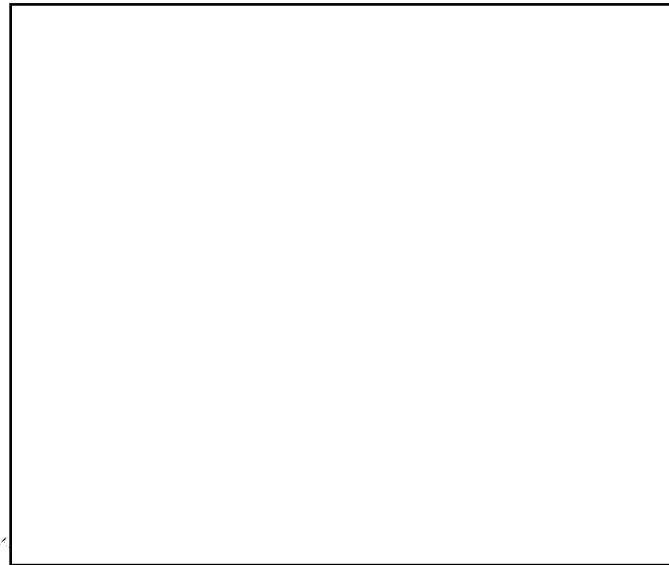
Purpose

Commentary

25X1C

S. 2253
Amending
Foreign
Assistance
Act

Precludes the funding, under any provision of law, of any "military operation" outside the borders of the country of the government or persons receiving such funds without specific congressional authorization. If such request is made the President must provide Congress with a copy of any agreement pertaining to such military operation and the complete details of it.



SECRET

SECRET

Purpose

Commentary

25X1C

S. 2254
Amending
Special
Foreign
Assistance
Act of 1971
and Military
Procurement
Authorization
for 1966
(P.L. 89-367,
as amended)

Precludes the funding under any act of military or paramilitary instruction or training assistance to or for Cambodian military or paramilitary forces in Cambodia through advisers paid directly or indirectly by the U.S. Government.
Also extends to all U.S. departments and agencies restrictions (previously applicable only to DOD) on the provision of defense materiel to certain forces in Southeast Asia.

(Senator Case says this would prevent the circumvention of congressional intent in funding of activities such as Thai troops in Laos through CIA and would eliminate skirting of the Cooper/Church prohibitions against use of American troops or advisers in Cambodia by using CIA personnel.)

25X1C

The amendment proposed in Sec. 2(2) of S.2254 imposes additional reporting and accountability requirements which are impractical and undesirable in connection with certain military situations important to United States interests in Southeast Asia.

SECRET

SECRET

SUBJECT: COMMENTARY ON THE CASE BILLS

20 July 1971

Purpose

Commentary

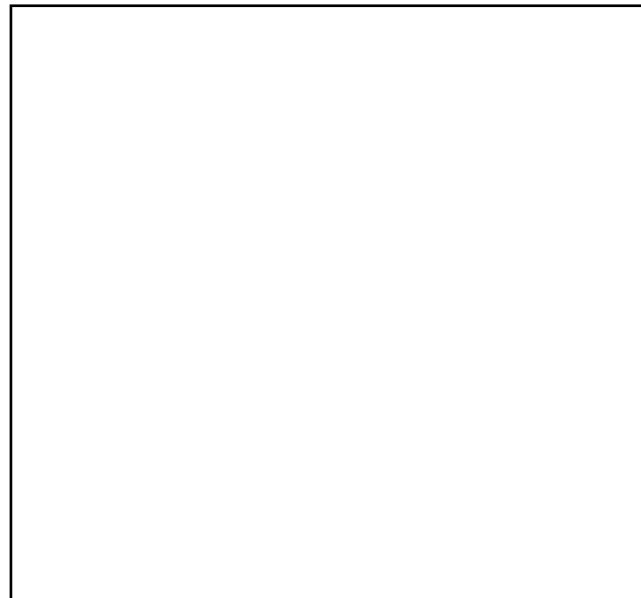
25X1C

S. 2251
Amending
Foreign
Assistance
Act of 1961

Precludes the President from transferring funds authorized under the Foreign Assistance Act from one country to another unless he notifies the Congress in writing 30 days in advance (10 days if he certifies the national interest requires it) before he makes such a transfer.

S. 2251
Amending
Foreign
Military
Sales Act

Requires that the value of any defense articles granted to a foreign country be counted as part of an expenditure made from funds appropriated under the Foreign Assistance Act and an equivalent sum offset against the appropriation for that country.



25X1C

Purpose

Commentary

S. 2253
Amending
Foreign
Assistance
Act

Precludes the funding, under any provision of law, of any "military operation" outside the borders of the country of the government or persons receiving such funds without specific congressional authorization. If such request is made the President must provide Congress with a copy of any agreement pertaining to such military operation and complete the details of it.

S. 2254
Amending
Special
Foreign
Assistance
Act of 1971

Precludes the funding under any act of military or paramilitary instruction or training assistance to or for Cambodian military or paramilitary forces in Cambodia through advisers paid directly or indirectly by the U. S. Government.

CASE BILLS

	<u>Purpose</u>	<u>Explanation</u>	
<u>S. 2251</u> Amending Foreign Assistance Act of 1961	Precludes the President from transferring funds authorized under the Foreign Assistance Act from one country to another unless he notifies the Congress in writing 30 days in advance (10 days if he certifies the national interest requires it) before he makes such a transfer.	The President now has the authority to shift funds if he notifies the Congress within 30 days. Senator Case says he was disturbed by the shift of nearly under this authority in 1970 and he proposes to preclude such transfers in the future.	25X1C
S. 2252 Amending Foreign Military Sales Act	Requires that the value of any defense articles granted to a foreign country be counted as part of an expenditure made from funds appropriated under the Foreign Assistance Act and an equivalent sum offset against the appropriation for that country.	Senator Case says he makes this proposal because of reports he has received of the relatively unrestricted use of surplus materiel by CIA.	25X1C
S. 2253 Amending Foreign Assistance Act	Precludes the funding, under any provision of law, of any "military operation" outside the borders of the country of the government or persons receiving such funds without specific congressional authorization. If such request is made the President must provide Congress with a copy of any agreement pertaining to such military operation and complete the details of it.	<div style="border: 1px solid black; width: 350px; height: 100px; margin: 10px 0;"></div>	

<u>Purpose</u>	<u>Explanation</u>
<p>S. 2254 Amending Special Foreign Assistance Act of 1971</p> <p>Precludes the funding under any act of military or paramilitary instruction or training assistance to or for Cambodian military or paramilitary forces in Cambodia through advisers paid directly or indirectly by the U.S. Government.</p>	

25X1C

MEMORANDUM FOR:

OLC

We have concerted with

on this commentary and he agrees with it.

CFE

20 July 19 71

(DATE)

FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

(47)

25X1A

25X1A

25X1A